

FEDERAL INTRUSION IN CALIFORNIA MAY DEFEAT ALIEN ACTS

Bryan Sends Message to California Explaining Position of the Administration. STATE FACTIONS ARE SPLIT Expression of Preference by Wilson Divides the Senate. BILLS ARE BEING CHANGED Legislators at Sacramento Prepare to Meet Objections. PASSAGE OF ANY DOUBTFUL Bryan Holding Frequent Conferences with Japanese Ambassador to Prevent Open Rupture.

SACRAMENTO, Cal., April 20.—The defeat of the proposed alien land legislation in California may result from the diplomatic communication received today by Governor Johnson from the State department at Washington. Secretary Bryan's expression of preference for a particular bill cut straight across the ranks of the anti-alien forces, leaving two opposing factions that are about equal in strength, but also nonpartisan.

On the one hand are the proponents of the Thompson-Birdsell bill, which proposes to limit ownership in land to citizens and those who have declared their intention to become citizens. It treats all aliens and corporations alike, declaring in the case of the latter, that a majority of the stock must be held by citizens or those who have declared their intentions, according to law. Secretary Bryan, in his telegram, quotes President Wilson as saying that this plan is greatly to be preferred.

Opposed to this measure, are those who would discriminate in favor of Europeans and European capital, or who advocate making the law apply directly to the Japanese. The bill passed last Wednesday by the assembly makes this discrimination through the words "ineligible to citizenship."

ADMINISTRATIONS VIEW PUBLIC

Bryan and Wilson Send Message to Californians. WASHINGTON, April 20.—President Wilson and Secretary Bryan, following the precedent of previous administrations, today made known their views on the international character of the legislation now pending in California, by which Japanese would be prevented from owning land in that state.

In a telegram to Governor Hiram W. Johnson, made public both at Sacramento and Washington, Secretary Bryan expressed the view of President Wilson that the California assembly bill might be construed as a violation of treaty obligations with Japan, while the senate's measure as drawn would not be objectionable, if alien land legislation is to be enacted at all.

The telegram and other information from official circles indicated clearly that the provisions in the assembly, by which aliens "ineligible to citizenship," would be prohibited from owning land were regarded here as a distinct discrimination against Japanese, who at present are denied the right of naturalization.

The language of the senate bill restricting ownership of land to citizens of the United States, which the president declared "citizens," is approved by the president, as he has discovered that this is the phraseology of the statute already in force in New York, Delaware, Kansas, Minnesota, Kentucky, Washington, Missouri and the District of Columbia. Incidentally all these laws make it impossible for Japanese to own land until they are able to declare their intention of becoming citizens, a privilege which the lower courts thus far have not given them on the ground that they were "not of white or African descent."

Federal Government Embarrassed. By enacting a law similar to those in force in several states, California would not embarrass the national government, because no protest hitherto has been made against these statutes and the whole problem becomes one of naturalization. It is not unlikely, however, that the Japanese government will not attempt to have the question of naturalization pressed to higher courts.

Viscount Chinda, the Japanese ambassador, today had a long conference with Secretary Bryan. The secretary had been keeping the ambassador freely advised of steps taken by the federal government to preserve the treaty rights of the Japanese and accordingly made known to him today the contents of the message dispatched, at the direction of the president, to Governor Johnson of California.

As Secretary Bryan knows the precise nature of the Japanese objections to the pending legislation, his recommendation to Governor Johnson is taken to indicate that the senate bill is in such form that though not welcome, it might at least be tolerated by the Japanese government.

Secretary Bryan also was in conference during the afternoon with Lars Anderson, the retiring American ambassador to Japan, regarding the situation at Tokio.

Daughters of the Revolution Bring Meeting to Close

WASHINGTON, April 20.—The twenty-second annual congress of the national congress of the National Daughters of the American Revolution adjourned sine die Saturday after a session, fraught with intense interest over the election of a president general, and for which office Mrs. William Cuning Story of New York was successful.

Pfanschmidt Will Pay Death Penalty For Family Murder

QUINCY, Ill., April 20.—Ray Pfanschmidt was found guilty Saturday of the murder of his father, mother, sister and Miss Emma Klemper. The penalty is death. The jury retired at 3:33 o'clock this afternoon, and at 7 o'clock word came that an agreement had been reached. When the judge asked if the jury had reached a verdict, Foreman Sparks handed a written paper to Judge Williams, who read it and handed it to Circuit Clerk Beatty.

Innocent Bystander Struck in Stomach; Is Expected to Die

John Stovall, of Manila, Ia., was an innocent bystander Saturday when small boys, who throw stones at some negro men, fled, being, as before remarked, an innocent bystander, he is now at St. Joseph's hospital, where it was said last night that he cannot live. One of the negro men mistook him for one of the tormentors, and sunk a pocket knife to the handle in Stovall's stomach. The negro has not been arrested.

Scoville Falls Down in Making His Proof

LINCOLN, April 20.—(Special Telegram.)—Although Evangelist Scoville of Lincoln had been claiming for nearly two weeks that he had evidence to show that the city of Lincoln was grossly immoral and that the saloons and the house of prostitution stood in cahoots, when his case was called before the excise board, to whom he had been served to appear and prove his charges this morning, he asked continuance until this evening to enable him to get his evidence together.

Yesterday, together with Bert Wilson, secretary of the men and religion movement, who had also seen talking, Scoville appeared and about all the charges amounts to were affidavits from a professional detective from Chicago named Groh, that he had visited certain saloons and had been told where the houses of prostitution could be found. Groh admitted that he had seen little soliciting on the streets.

Friedmann Gives Second Treatment

NEW YORK, April 20.—Dr. Friedmann visited the hospital for freedmen and joint diseases today to give a second injection of his vaccine for tuberculosis to such patients there who required it. The vaccine was to be administered in the presence of the government physicians who are investigating the treatment. Meantime Dr. Friedmann said active preparations are being made for marketing the vaccine. No deal has yet been closed, he said, but negotiations are being pushed.

Omaha Man Awarded Honor at Penn "U"

BOSTON, Mass., April 20.—(Special Telegram.)—Among the fellowship awards announced at the University of Pennsylvania Saturday were: Harrison Fellowship—Henry F. H. Sylvester, Grinnell, Ia., in Indo-European philology. Harrison Fellowship—G. H. Barnes, Omaha, in history. University Research Fellowship—E. R. Guthrie, Jr., Lincoln, Neb., in philosophy. The fellowships pay from \$500 to \$500 a year each, and carry free tuition.

New Vice Consul General. YANKTON, S. D., April 20.—(Special Telegram.)—Sig O. Hanger of Yankton has been notified by Norwegian Consul General Ravn of New York that he has been appointed vice consul for South Dakota, an important position in this state of large Norwegian population.

AT LEAST HOUSE IS PLEASED WITH SELF

Proud of What Has Been Doing and Pauses to Consider Possibilities. POLITICAL THUNDER. Legislators to Come Members Can "Point with Pride."

DEADLOCKED OVER REMOVAL

House Refused to Spend Any Money for Farm School. DEMOCRATS REMAIN OBSTINATE Fear to Aid Removalists—Giving Sanction to Referendum Nice Way of Avoiding Real Issue.

(From a Staff Correspondent.) LINCOLN, April 20.—(Special.)—Speaking of the house of representatives. It does not propose to go home in disgrace of throwing bouquets at itself can help. If it has no other friend, it is a friend of itself and falling to get any word of commendation from an unprejudiced public. It has written into the record a boast for a majority of its members that may be quoted in campaigns for the next hundred years. The resolution of endorsement of a majority of the members was introduced by T. L. Jones and adopted by the house without discussion for a majority of the members were interested. The resolution is as follows:

Whereas, The governor has signed senate file No. 364, the insurance code bill, and it is now the insurance law of this commonwealth; and Whereas, Numerous expressions of satisfaction from various parts of the state are coming in to confirm the judgment of this legislature that this insurance legislation, the first that Nebraska has had for many years, is a wise, beneficent and reformatory measure, and will prove a helpful law to the generations yet to come; therefore, be it resolved, That the House of Representatives of this state do hereby approve of the members of this house, and their constituents, for their valiant championship and diligent attention to every detail of this bill, comprising ninety-one engrossed pages; That the Hon. E. Palmer of Clay county, who devoted his great talents day and night for weeks to the mastery of the details of this bill, and followed it with unflinching zeal throughout its discussion in the house; and That Hon. John H. Mockett, Jr., whose unswerving loyalty to the measure and eloquent defense of the principles it contains, made possible its passage and enactment into law; and to the Hon. C. W. Trumble, D. S. Hardin and C. H. Mendenhall, the other house leaders who contributed directly to the success of this measure, are hereby tendered a vote of thanks by this house for their intelligence displayed in the long and arduous and reformatory measure, senate file No. 364, without doubt one of the most important, if not the most important, of the session of the Nebraska legislature.

The legislature after being practically at a deadlock during the entire session over the question of university removal, faces adjournment without deciding this important question and with the general appropriation bill hanging in the balance, because of a dispute whether a dairy building, an observatory building and a heating plant shall be built at the state farm, at a cost of \$115,000. Opponents of university removal in the house stubbornly refuse to accede to an appropriation for this purpose for fear it may give strength to the removalists.

After repeated conflicts, both house and senate have definitely evaded the question of removal and turned it over to a succeeding legislature. By resolutions, they recommended a referendum to the people on this subject, an action, however, that does not necessitate a referendum vote unless such is demanded by the regular procedure of interested parties. As a result of the action, the end of the session will not come until Monday.

Monday the fight over university maintenance will be resumed and some provision possibly will be made for this institution, but it has been definitely decided that no new buildings on the downtown campus will be provided. There is a bare possibility of provision for new structures at the farm for the agricultural school alone. Whatever action is taken will be done by a handful of the legislators as there was no quorum in the house today and the senate could muster but a few members, with members leaving on every train.

Though it was made clear that the state farm needed the dairy barn and had needed it for years, and the other requests were badly needed, the democratic house tonight said nay. Only Potts, McAllister, Fries, Shipley and Pearson, of the democrats, voted in the interest of the farming element of the state. The others present voted against the appropriation simply and solely because they figured it would encourage university consolidation at the farm.

What It Amounts To. The democratic party as represented in the house is against any more buildings at the state farm and as Simon told them, "rather than see a great agricultural institution built up at the farm, you are willing to bring the cows downtown and permit them and the horses and mules to roam the streets."

The vote came on the motion to adopt the report of the conference committee on the general maintenance bill, which had been amended to include \$115,000 for the buildings at the state farm. Quiggle of Lancaster moved a substitute that the committee be discharged and another committee appointed. The latter motion prevailed.

Potts, chairman of the committee, told the house these buildings were needed and he hoped that the report would be adopted. Quiggle and Mockett of Lancaster and Bollen and Corbin, spoke against the appropriation, while Nichols, McAllister, Smith, Simon and Anderson of Boyd, spoke for the appropriation.

National "Uncle Tom's Cabin"



POPE'S BROTHER MAKES CALL

Meeting of Aged Men Tenderest Episode of Sick Room. CONDITION STILL IMPROVED Patient, However, Continues Weak and is Subject to Frequent Periods of Depression. BULLETIN. ROME, April 20.—The pope's physicians this morning issued the following bulletin concerning the pontiff's health: "For four days his holiness has had no fever. As a result of the amelioration of his bronchial affection his holiness is also gradually recovering his strength. "MARCHIAFAVA. "AMICA."

ROME, April 20.—The visit of the pope's brother, Angelo Sarto, postmaster of the village of Grassano, was one of the tenderest episodes of the sick room. There is a difference in age between them of only one year, but Angelo with his robust frame seemed ten years younger than the pope, who appeared thin, languid and pale. The austere Marchiava, who was present at the meeting, declared that the scene was so touching that his own eyes were wet.

The presence of the members of his family around him has inspired the pope with new vigor and the bright sunshine flooding his room this evening caused him to exclaim: "On such a day as this I cannot imagine that anyone could be ill." Reports of the pontiff's condition tonight indicate that there has been no recurrence of unfavorable symptoms. It is pointed out that for four days practically no fever has been present and that the pope is suffering only from spells of coughing, which on occasions are somewhat exhausting. The bronchial affection on the left side, is diminishing.

Still Very Weak. The patient, however, is weak and has periods of depression. With increased ability to take nourishment it is hoped that the pope's strength will return and that soon he will be considered out of danger.

Frequently during the height of his illness the pulse ran above 100. It is now reported to be from 70 to 75. Rumors of various kinds continue to be circulated and it is even reported that Dr. Marchiava and Dr. Amici have quarreled over the case. One report had it that Dr. Amici insisted that the pope should have last communion, but that Marchiava opposed this in order to avoid the shock which this might cause the patient. This report is absurd, as the pope has taken communion every day since his illness began, so that in the words of the pontiff himself: "Death will not find me unprepared."

Peters Trust Co. Victor Over Omaha Concern at Denver

DENVER, Colo., April 20.—(Special Telegram.)—Judgments aggregating \$25,357.77 were entered against the Colorado Consolidated Lumber company, Hocky Mountain Railway company and the Omaha Lumber company in district court Saturday. The judgments were in favor of the Peters Trust company of Omaha, trustee for the bondholders of the three companies. The judgments were entered pursuant to a decree of the same tribunal which authorized the sale of the properties of the companies at a sheriff's sale in Grand county on March 11, 1912. Though more than \$100,000 was realized at the sale, the sum allowed as judgment this morning represented the deficiency that remained. The judgments against the Colorado Consolidated company amounted to \$24,907.77. The judgment against the railway concern amounted to \$75,75.

Porter Charlton's Case May Stay on Docket Many Weeks

WASHINGTON, April 20.—Months may elapse before the supreme court passes upon the demand of the Italian government for the extradition of Porter Charlton, the young American wanted in Italy to answer to charges of having murdered his wife. The court may not even take the case under consideration until the next term, which begins in October. At the court's request the attorneys will print copies of the secretary's opinion, explaining why he granted the request for the extradition.

MORGAN PUTS CHRIST FIRST

Testimony Remarkable for Reference in it to Divinity. CHILDREN GIVEN TRUST FUNDS Three Million Dollars Sum Generally Mentioned—Son-in-Law Get Million Dollars Each.

NEW YORK, April 20.—"I commit my soul into the hands of my Savior, in full confidence that having redeemed it and washed it in His most precious blood, He will present it faultless before the throne of my Heavenly Father, and I entreat my children to maintain and defend all his hazard and at any cost of personal sacrifice, the blessed doctrine of the complete atonement for sin, through the blood of Jesus Christ, once offered, and through that alone."

This is the extraordinary and striking utterance which begins the last will and testament of John Pierpont Morgan, who died at Rome on March 23 last, and whose body, heaped over with flowers from the crowded heads of Europe, was a fortnight later brought back to his own land and laid Monday borne to its last resting place at Hartford.

Insurgents Kill Many Federals in Dynamiting Train

EL PASO, Tex., April 20.—Seventy-five federal soldiers were killed today, when insurgents dynamited a troop train a few miles below Chihuahua City. Refugees arriving by automobile here tonight from the Parral district reported that they had encountered the wrecked train and estimated the dead, which apparently for several days had remained along the tracks of the Mexican Central railway. Strong groups of constitutionalists were met at intervals along the route. NOGALES, Ariz., April 20.—After preliminary skirmishes early today, constitutional forces await the arrival of reinforcements before a concentrated attack is made on Guaymas, the Lower California gulf port and only point in Sonora state remaining in control of the Huerta government. I. Bonillas, a state congressman, here today said that 4,000 state troops would be mobilized about Guaymas, but that the general attack would not occur before next week.

FINANCIAL AID FOR PEOPLE WHO LOST HOMES BY TORNADO

Committee at Work Making Loans on Real Property in District Swept by the Storm. MONEY IS WITHOUT INTEREST Thirty Home Owners So Far Given Assistance to Rebuild. ESTIMATE ON DAMAGE WROUGHT Eight Hundred Houses Now Undergoing Extensive Repairs. ORDER BROUGHT OUT OF CHAOS Two Million and One-Half Dollars Will Be Required to Restore Homes of the Victims of Storm.

According to a census taken by The Bee on Saturday, 811 houses in the tornado district are undergoing repairs or have been completely reconstructed. Accomplishments and plans of the restoration committee for repairing and rebuilding homes damaged or wrecked by the tornado are summarized in the following statement issued by the committee: "The work which is being done by the restoration committee is that of making loans for the purpose of rebuilding Omaha. The public and persons interested in the work should not get confused with what is being done in the way of relief. None of the money which was donated for relief is being loaned, but the funds which are being placed by the restoration committee are in addition to those which have been contributed for relief.

"The restoration committee is loaning money without interest. Persons in need of loans who cannot borrow the full amount from the building and loan associations or other regular sources can obtain needed help from this committee. It is a proposition of giving financial aid to persons who do not require donations, but who themselves are not able to get sufficient funds to carry them through, and of giving further aid in the way of loans to persons who have had enough assistance to start, but not to complete their work.

Financial Advice Given. "The restoration committee finds that most of those with whom it comes in contact are persons who first need advice as to where they can get help, rather than a loan at this time from the committee. Some must adjust insurance first, others must arrange for a first loan on the property and some are where a loan would not help them, an account of age or infirmities and because their cases are already in the hands of the relief committee and will be cared for by them.

BUSY ARBOR DAY PLANNED

Many Trees Will Be Planted This Year in District Laid Waste. BUSINESS MEN HELP MOVEMENT Commercial Club, Real Estate Exchange and Ad Club Will Make Concerted Efforts to Recover Horticultural Beauty. Omaha will put unusual efforts into the celebration of Arbor Day Tuesday. The rule of planting two new trees for every one destroyed will cause considerable work for the residents in the tornado district, and it is believed Tuesday will be a busy day there.

The Commercial club, the Real Estate exchange and the Ad club will make concerted endeavors to recover for Omaha some of the horticultural loss incurred in the recent storm. The exchange will repeat its work of last year when it called out a majority of its members to plant trees.

President Byron Hastings will send out the call to the members tomorrow, notifying them of the work to be done, and there will be many real estate men and property owners who will work on their own initiative. Residents in the tornado district have placed their orders with the nurseries. "We have more reason than ever before to celebrate Arbor day," said George H. Kelly, president of the Commercial club. "Besides the fact that the founder of the day, J. Sterling Morton, was a Nebraskan, an incentive to a greater celebration in this state, we have this year a great loss of trees to make up. While we cannot replace many of the beautiful specimens such as went down in Bemis park, we can double their number and prepare for a more beautiful Omaha."

"We shall try to get out as many members as possible to plant trees Tuesday," said Robert Manley, president of the Omaha Ad club. "The club has always stood for a more beautiful Omaha, and is working for the Omaha of the future as well as the Omaha of today. Everyone here realizes, I think, that there has been a great loss of beautiful trees which we must try to replace, and extra work should be done this Arbor day."

The executive committee of the Omaha Commercial club at its meeting Tuesday morning probably will pass a resolution calling on as many members of the club as possible to plant trees. "If they can't plant trees in their own yard because they have no room," says Assistant Commissioner Ward C. Gifford, "they will be asked to donate trees to neighbors. The attention of the members will be called especially to those who have lost trees in the tornado district."

This is the declaration of the general relief committee after an examination of bills incurred up to this date for provisions, furniture, clothing, help, cleaning up wreckage, burials and sanitation. The report of the committee of real estate men made to the relief committee after an inspection of the wrecked district carried an estimate of damage done by the tornado of \$3,396,000. This did not include the loss on furniture and other contents in the 1,770 buildings damaged or totally destroyed. An estimate of an average damage of \$1,600 per building made by the general relief committee gives the figures \$2,660,000, and the committee believes this is approximately correct. Up to this time the general committee has handled more than 150 cases looking to the repair or rebuilding of homes. Some have been before the committee several times without action because of the lack of some necessary information. Ninety cases have been passed on favorably and various amounts voted to the sufferers. Ready cash is not given in any case, but building material and labor is provided. Detailed Facts Secured. Each case presented to the general committee for action differs in some respect from every other case. The method followed in recording the facts is to get every element on the record cards. These show name and address, condition in life, family, age, cost of house and lot, amount of damage, salvage, if any. Then the intentions of the applicant for relief are